

Suspending limitations on conference committee
jurisdiction, H.B. No. 1493

By: Harris

S.R. No. 1015

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, Regular Session, 2003, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill No. 1493, relating to the foreclosure of property and the authority of a mortgage servicer to administer the foreclosure on behalf of a mortgagee, to consider and take action on the following matter:

Senate Rule 12.03(1) is suspended to permit the committee to amend text that is not in disagreement in Section 51.009, Property Code, as added by the bill, by adding the phrase "except as to warranties of title", so that the section reads as follows:

Sec. 51.009. FORECLOSED PROPERTY SOLD "AS IS." A purchaser at a sale of real property under Section 51.002:

(1) acquires the foreclosed property "as is" without any expressed or implied warranties, except as to warranties of title, and at the purchaser's own risk; and

(2) is not a consumer.

Explanation: The changed text is necessary to clarify that any warranties of title granted in a foreclosure sale under Section 51.002, Property Code, are valid.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on June 1, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate